

STATUS OF THE CLAIMS

Claims 1-14, 16-20, 23-26, 38, 41, and 51 were pending in this application. Claims 1, 3, 5-8, 10-13, 16, 18-20, 26, 38, and 41 are amended. Claim 9 and 51 are canceled. Following entry of this amendment, claims 1-8, 10-14 16-20, 23-26, 38, and 41 are pending.

SUMMARY OF EXAMINER INTERVIEW

Applicants' representatives and Examiner Mobin held a telephonic interview on 1/27/2009. During the interview, Applicants' representatives and the Examiner discussed the rejections outstanding in the Examiner's office action and whether the cited references teach or suggest determining a plurality of associated action for an application or determining events for an application based on a plurality of associated actions. No agreement was reached.

REJECTIONS UNDER 35 U.S.C. § 103

Claims 1-14, 26, and 38 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Yee et al. (U.S. Patent No. 6,380,924) in view of Cason et al. (U.S. Patent No. 4,410,957). Claims 16-20, 23-25, and 41 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Yee in view of Jade et al. (U.S. Pub. No. 2003/0001854). These rejections are now traversed.

Amended independent claim 1 recites elements related to a computer-implemented method for a capture processor executing on a computer to determine an event associated with an application. Specifically, claim 1 recites:

receiving, with the capture processor, a plurality of keystrokes associated with an application; processing, with the capture processor, each keystroke to determine an associated action **in the application**, wherein the associated action is determined based at least in part by matching the keystroke to an entry in **a keystroke table that associates keystrokes with actions in the application**, the plurality of keystrokes forming a plurality of associated actions; and determining, with the capture processor, an event for the application that has occurred, based at least in part on the plurality of associated actions.

Thus, a plurality of keystrokes are received and processed using a keystroke table to determine a plurality of associated actions. An event is determined based at least in part on the plurality of associated actions. For example, assume a user editing a document in a word processor application enters a series of keystrokes, “Ctrl” - “X” - “Ctrl” - “V.” These keystrokes can be processed using a keystroke table to determine a plurality of associated actions for the application, i.e., the table indicates that “Ctrl” - “X” is a “cut” action and “Ctrl” - “V” is a “paste” action. A “cut and paste” event can be determined based at least in part on these actions. Support for this amendment appears throughout the specification, including, e.g., at paragraph [0042].

Yee does not disclose or suggest determining a plurality of associated actions in an application by matching keystrokes to entries a keystroke table that associates the keystrokes with actions in the application. Yee describes a recorder for recording keyboard inputs to a computer system. The recorder is inline between the output port of a keyboard and the keyboard input port of a computer system. The recorder intercepts and stores keyboard inputs and sends the inputs to the computer system’s keyboard port. See Yee, Abstract and Figure 2. The Examiner acknowledges that Yee does not disclose or suggest determining an event based at least in part on a plurality of associated actions.

See Office Action dated 12/09/2008 (“OA”), page 3. In rejecting claim 9 the Examiner

additionally acknowledges that Yee does not disclose or suggest determining associated actions by matching keystrokes to an entry in a keystroke table and determining an action in the keystroke table associated with the entry. *See OA, page 6.*

Cason does not remedy the deficiencies of Yee. Cason describes a keystroke queuing system that receives keystrokes from a computer user. The system compares the keystrokes to a table to determine if they are valid typematic keystrokes. If the keystrokes are valid typematic keystrokes they are stored in a keystroke queue. The Examiner indicates that Cason discloses determining a plurality of associated actions by matching keystrokes to an entry in a keystroke table and determining an action in the keystroke table associated with the keystroke at column 1, lines 60-65 and Figure 3, element 92. *See OA, page 6.* These portions of the reference disclose that the table includes a list of valid typematic function keys. However, the typematic function keys are not associated with an application or performing actions in an application. Instead, the typematic function keys are independent of any application. Cason therefore does not disclose a table that includes entries associating keystrokes with actions in an application. Thus, Cason does not disclose or suggest determining a plurality of associated actions in an application by matching keystrokes to entries a keystroke table that associates the keystrokes with actions in the application. Accordingly, Yee and Cason do not disclose or suggest every limitation of claim 1 and a person of ordinary skill in the art would not find claim 1 obvious in view of the cited reference. Claims 13, 26, and 38 are not obvious for at least the same reasons.

Amended independent claim 16 recites a computer-implemented method for a capture processor executing on a computer to determine and selectively index an event associated with an application. Specifically, claim 16 recites:

receiving, with the capture processor, a plurality of display calls associated with an application; processing, with the capture processor, the plurality of display calls to determine a display produced by the application; determining, with the capture processor, an event in the application that has occurred, based at least in part on the display; **determining, with the capture processor, an importance of the event;** and **selectively indexing,** with the capture processor, **the event responsive to the importance of the event.**

Thus, claim 16 recites determining the importance of an event and selectively indexing the event.

The Examiner argues that Yee discloses determining the importance of an event and selectively indexing events at column 5, lines 15-19 and column 10, lines 55-60. *See OA, page 13.* Column 5, lines 15-19 discloses that the recorder can capture a computer user's entries to a computer system and store the entries to a storage device for future retrieval. However, this portion of the reference does not disclose determining the importance of entries or selectively indexing entries. Column 10, lines 55-60 merely discloses that the storage device can be a hard disk, floppy disk, optical disk, tape or zip cartridge. Thus, Yee does not disclose or suggest determining the importance of events or selectively indexing events.

Jade does not remedy the deficiencies of Yee. Jade describes a mechanism for capturing one or more graphics primitives drawn to a user interface by an executing application. *See Jade, Abstract.* However, Jade does not disclose or suggest determining the importance of events or selectively indexing events. Accordingly, the cited references do not teach or suggest every element of amended independent claim 16 and a person of ordinary skill in the art would not find the claimed invention obvious in view of the cited references. Claim 41 is not obvious for at least the same reasons. The

dependent claims not mentioned above incorporate the elements of their base claims and are therefore not obvious for at least the same reasons.

CONCLUSION

Based on the foregoing, Applicants request that the rejections of the pending claims be withdrawn and the application be allowed. The Examiner is invited to contact the undersigned by telephone to advance the prosecution of this application.

Respectfully submitted,

Dated: March 9, 2009

By: Brian Hoffman/
Brian Hoffman, Reg. No. 39,713
Attorney for Applicants
Fenwick & West LLP
555 California Street
San Francisco, CA 94104
Tel.: (415) 875-2484
Fax: (415) 281-1350